

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD
1740 W. ADAMS ST., SUITE 4600, PHOENIX, ARIZONA 85007
PHONE (602) 364-1PET (1738) FAX (602) 364-1039
VETBOARD.AZ.GOV

COMPLAINT INVESTIGATION FORM

*if there is an issue with more than one veterinarian please file a
separate Complaint Investigation Form for each veterinarian*

PLEASE PRINT OR TYPE

FOR OFFICE USE ONLY

Date Received: MAY, 24, 2018

Case Number: 18-115

A. THIS COMPLAINT IS FILED AGAINST THE FOLLOWING:

Name of Veterinarian/CVT: Dr. Alison Bizzul
Premise Name: Surprise Animal Hospital, PLC
Premise Address: 13954 W. Waddell Road Ste 109
City: Surprise State: AZ Zip Code: 85379
Telephone: (623) 584-8160

B. INFORMATION REGARDING THE INDIVIDUAL FILING COMPLAINT*:

Name: Cecelia Nugent
Address: [REDACTED]
City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]
Home Telephone: [REDACTED] Cell Telephone: [REDACTED]

*STATE LAW REQUIRES WE HAVE TO DISCLOSE YOUR NAME UNLESS WE CAN SHOW THAT DISCLOSURE WILL
RESULT IN SUBSTANTIAL HARM TO YOU, SOMEONE ELSE OR THE PUBLIC PER A.R.S. § 41-1010. IF YOU HAVE
REASON TO BELIEVE THAT SUBSTANTIAL HARM WILL RESULT IN DISCLOSURE OF YOUR NAME PLEASE PROVIDE
COPIES OF RESTRAINING ORDERS OR OTHER DOCUMENTATION.

Received

MAY 24 2018

BY:

C. PATIENT INFORMATION (1):

Name: Papa "Sterling" Nugent

Breed/Species: Russian Blue/Cat

Age: 15 Sex: Male Color: Blue-Grey

PATIENT INFORMATION (2):

Name: _____

Breed/Species: _____

Age: _____ Sex: _____ Color: _____

D. VETERINARIANS WHO HAVE PROVIDED CARE TO THIS PET FOR THIS ISSUE:

Please provide the name, address and phone number for each veterinarian.

Dr. Kara Ericksen: 16772 W. Bell Rd Ste 105 Surprise, AZ 85374 623-545-0202

Dr. Matt Ericksen: 16772 W. Bell Rd Ste 105 Surprise, AZ 85374 623-545-0202

Dr. Kesey Ozuk: 13954 W. Waddell Road, Ste 109 Surprise, AZ 85379
623-584-8160

Dr. Kelsey Newman: 13954 W. Waddell Road, Ste 109 Surprise, AZ 85379
623-584-8160

Dr. Skaas: 9875 West Peoria Ave Peoria. AZ 85345 623-974-1520



E. WITNESS INFORMATION:

Please provide the name, address and phone number of each witness that has direct knowledge regarding this case.

Michelle Anderson

Attestation of Person Requesting Investigation

By signing this form, I declare that the information contained herein is true and accurate to the best of my knowledge. Further, I authorize the release of any and all medical records or information necessary to complete the investigation of this case.

Signature: Acacia Nugent

Date: May 23, 2018

I am filing this complaint against Surprise Animal Hospital on Waddell Road in Surprise Arizona and their veterinarians Dr. Alison Bizzul, Dr. Kesey Ozuk, and Dr. Kelsey Newman due to their negligent misdiagnosis of my Russian Blue cat Papa, who is also known as Sterling.

Papa was a 15 year old cat in pretty good health, except for times when he would scratch or bite his tail because he thought it was a toy. When I started noticing Papa was losing weight, not eating, and had a scratch under his left eye, I had him examined multiple times at Surprise Animal Hospital. When the scratch developed into a tumor like growth growing out of his cheek they failed to perform appropriate tests or seek opinions from another Doctor to investigate the possibility of other diagnoses when their treatment was not working. I ended up having to seek a second opinion at All-Star Animal Hospital where Dr. Kara Ericksen confirmed that it was a cancerous tumor and he needed surgery to remove it. Unfortunately Papa passed away in my arms on May 1, 2018 as I rushed him to the Blue Pearl Emergency Pet Hospital in Peoria Arizona.

Below is the chain of events that occurred that led me to filing this complaint.

When I requested Papa's records to bring with me for his second opinion I noticed things such as test results that were never disclosed to me, phone conversations where they wrote things that I did not say, and suspected diagnoses that was never tested or followed up on.

January 21, 2018:

Papa was seen at the Surprise Animal Hospital because I had noticed he had lost a great deal of weight quickly, did not want to eat, and had small scab over his tail. The vet addressed his tail and drew blood work and told me they would contact me with the results. The vet's assistant contacted me with the results of the blood work and told me that everything looked fine. The actual vet never spoke with me, even when I would try to get information about the test. It was not until I requested a copy of Papa's records to obtain a second opinion that it became apparent that his labs were not completely normal, like I been told by the vet assistant.

- Spec fPL level was very high at 14.4 ug/L, where the reference range is 0.0 - 3.5 and the lab should be retested in few weeks. I was never told that this significant increase can be an indication of pancreatic inflammation, especially if a cat is exhibiting signs of weight loss and loss of appetite; which Papa was. The vet wrote that he had pancreatitis and age related kidney changes in the notes, but it was never discussed with me.
- Increased ABS Mono. Pap's was 659, where the reference range was 40-530. This lab may increase due to cancer, inflammation or even the stress of being at the vet, but
- SDMA is elevated at 19 ug/L, where reference range is 0.0 – 14
- Calcium, chloride, potassium, sodium, Albumin (ALB), alanine aminotransferase (ALT), and total protein (TP) were low and below the reference range.
- Vet saw that there was significant weight loss because he went from 16 pounds to 10 pounds in a short time span, but never addressed his weight loss with me
- In the assessment section they wrote to rule out metabolic, endocrine, and neoplasia, but this was never discussed with me and nothing other than blood was done at this time.

On January 23, 2018:

The call back notes it mentions pancreatitis and early chronic renal failure, and the next step would be an abdominal ultrasound and to continue to monitor. The AUS option was not even presented to me and there was no mention about how they would continue to monitor him.

February 14, 2018:

Papa had a nail trimming appointment at Surprise Animal Hospital. I noticed the night before that there was a scratch below his left eye. Since he was going in for a nail trimming I wanted to see if they could look at his eye at the same time and I was told by the receptionist that it would be about a four hour wait or I can come on Friday February 16, 2016. I decided to take the Friday appointment because I could not wait four hours.

February 16, 2018:

Papa was seen for the scratch under his eye. I was told it was mostly likely due to a tooth root abscess and all he needed was a dental cleaning. However, in the documents where they did the bodily assessments under the oral cavity section, it states no obvious tooth root abscess. The assessment also stated that they wanted to rule out injury or other, but nothing was suggested at this time except a tooth cleaning. They did not even want to do some blood work to see if there were any changes that would indicate infection or changes from his previous blood work almost four weeks ago. They did give him Convenia SQ because it is almost impossible to get Papa to take oral meds and he does not tolerate them well. Nothing was provided such as a collar to keep him from getting to eye/check area.

February 18, 2018:

I was told over the phone it would take about 10-14 days to heal and if it wasn't healed by then that I should call them. They also told me that if a scab forms it would fall off on own.

March 1, 2018:

Papa returned to the Surprise Animal Hospital because the eye was getting worse and not healing, and he started having a lack of appetite again. I was told on February 16th that it would take 10-14 days to heal, but the wound wound was now about the size of a quarter and had the appearance similar to a cyst/tumor or wart. The Doctor prescribed the tropical ointment Animax/EnteDerm for me to apply twice a day. It was never mentioned to do a biopsy to see if it was a tumor, an x-ray to see if there was an underline issue causing the problem, no bloodwork to check his blood counts, and they ignored the fact that his appetite has decreased again just like it had in January. Furthermore, they made no recommendations on protecting the wound. I had to ask if I could put a collar on him to prevent him from trying to scratch it. There only concern was that Papa get a tooth cleaning and that it is probably an abscess under a tooth that is causing it even though there was no obvious tooth root abscess.

March 4, 2018:

In the call back notes it states I said that the eye was improving. I never said the eye was improving as the history notes states. I stated that wound was still not healing and that he had vomited last the night before. I was advised to continue applying the ointment, monitor him, and call if he continues to vomit.

My daughter Michelle, who is a Registered Nurse recommended I get a second opinion after seeing how in two weeks the wound on Papa's face had increased and the lack of differential diagnoses were not considered or tested for. I contacted All-Star Animal Hospital on Bell Road in Surprise Arizona and made an appointment with Dr. Kara Ericksen.

March 16, 2018:

Papa was seen for a second opinion. Dr. Erickson reviewed Papa's records. Her assessment was either neoplasia or tooth root abscess and that if the eye area was not improved it needed to be biopsied. He was given Depo Medrol injection to see if it would assist with decreasing any inflammation and Convenia injection. The Depo Medrol and mention of biopsy was never even mentioned by Surprise Animal Hospital and Dr. Erickson from All-Star Animal Hospital was able to mention it and see the probability of needing a biopsy in the first visit.

March 30, 2018:

Papa went back to Dr. Erickson and she said that since the mass was still present on the left side of his face that she was suspecting that it was a tumor. Instead of waiting for biopsy results we decided to schedule surgery right away to avoid any complications or damage to his eye since it was so close to his eye and so large. Papa was schedule for surgery for April 5, 2018 to remove the mass and send it out to determine if it was cancerous or not.

April 5, 2018:

Papa went in for surgery to remove the mass that was about 1 inch in diameter and very close to his lower eye lid.

It took only two weeks for Dr. Erickson to assess Papa's eye, diagnosis him with a mass, and schedule surgery to remove it. The biopsy came back showing the mass was cancerous.

April 20, 2018:

Papa was still having appetite issues so Dr. Erickson prescribed Mirtazapine to try and help stimulate his appetite.

Unfortunately Papa passed away in my arms on May 1, 2018, while he was being rushed to the Blue Pearl Emergency Pet Hospital in Peoria Arizona. He was pronounced dead by Dr. Skaggs. Papa was more than a pet, he was like my child who I raised and loved since he was 9 months old.

Words cannot express how upset I am that Surprise Animal Hospital and veterinarians Dr. Alison Bizzul, Dr. Kesey Ozuk, and Dr. Kelsey Newman accepted responsibility to treat Papa, but they failed to perform appropriate tests to obtain an accurate diagnosis and did not provide treatment in a reasonably skillful and competent manner. Dr. Alison Bizzul, Dr. Kesey Ozuk, and Dr. Kelsey Newman failed to exercise the care that a reasonably prudent person would exercise in similar circumstances. They breached their duty of care by incorrectly diagnosing Papa and by providing unsuccessful treatment regimen. How it is that Dr. Erickson from All-Star was able to recognize the need for a biopsy in her first visit of ever seeing Papa and Dr. Alison Bizzul, Dr. Kesey Ozuk, and Dr. Kelsey Newman could not even recognize that need after treating Papa for as long as they did. Even my daughter Michelle who is a Registered Nurse was able to see that something was not right as the tumor grew.

One component of standard of care is diagnostics, but Dr. Alison Bizzul, Dr. Kesey Ozuk, and Dr. Kelsey Newman failed to recognize that tumor was growing and Papa's health was deteriorating and suggest other possible tests. There was no communication between the doctors while going to the Surprise Animal Hospital, it was a different doctor each time and to my knowledge the doctors never conferred with each other in regards to Papa's care or treatment plan. Also, they would whisk him away to the back room where you are unable to be there to comfort your pet or see what the vet was doing. Then the vet would not even come out and say what was done, they would have the assistant come out and say what the doctor did, so you never got a chance to really speak to the doctor. Whereas, at All-Star Animal Hospital they would examine Papa in the same room that I was in so Papa would feel comfortable and at ease and the Doctor would explain what they were doing in simple terms so one can understand.

I have the deepest respect for the Dr. Kara Erickson, the Surgeon, and the entire staff of All-Star Animal Hospital. They showed great concern, care, and love to papa. In addition, they provided Papa with a quick, proper diagnosis and was able to implement an appropriate treatment plan immediately.

I feel that if they were able to see that their initial treatment was not working and that the mass was growing in size it would not have taken as long as it did to remove the cancerous tumor and maybe Papa would still be here today or at least be given the chance to see an oncologist who could have provided me with different treatment options.

I paid money for a service that was not provided and a second opinion would not have been needed if Surprise Animal Hospital did their job right the first time. I feel that due to the negligent misdiagnosis of Papa I should be refunded my money for all vet visits that pertain to this situation.

Charges and the bills for the Surprise Animal Hospital:

January 21, 2018:

\$525.00 for lab workup and exam

January 24, 2018:

\$47.19 for prescription food. The Doctor never talked to me about this, it was just noted in the report and the assistant told me to get it with no explanation of why, even when I asked them why. Since, I was told the vet wanted him on this food, I thought the vet could be trusted and I should listen.

February 16, 2018

\$148.00 Consultation Exam by Dr Kesey Ozuk

March 1, 2018

\$205.21 seen by Dr. Kelsey Newman for a follow up

Charges and bills from All Star Animal Hospital

March 16, 2018

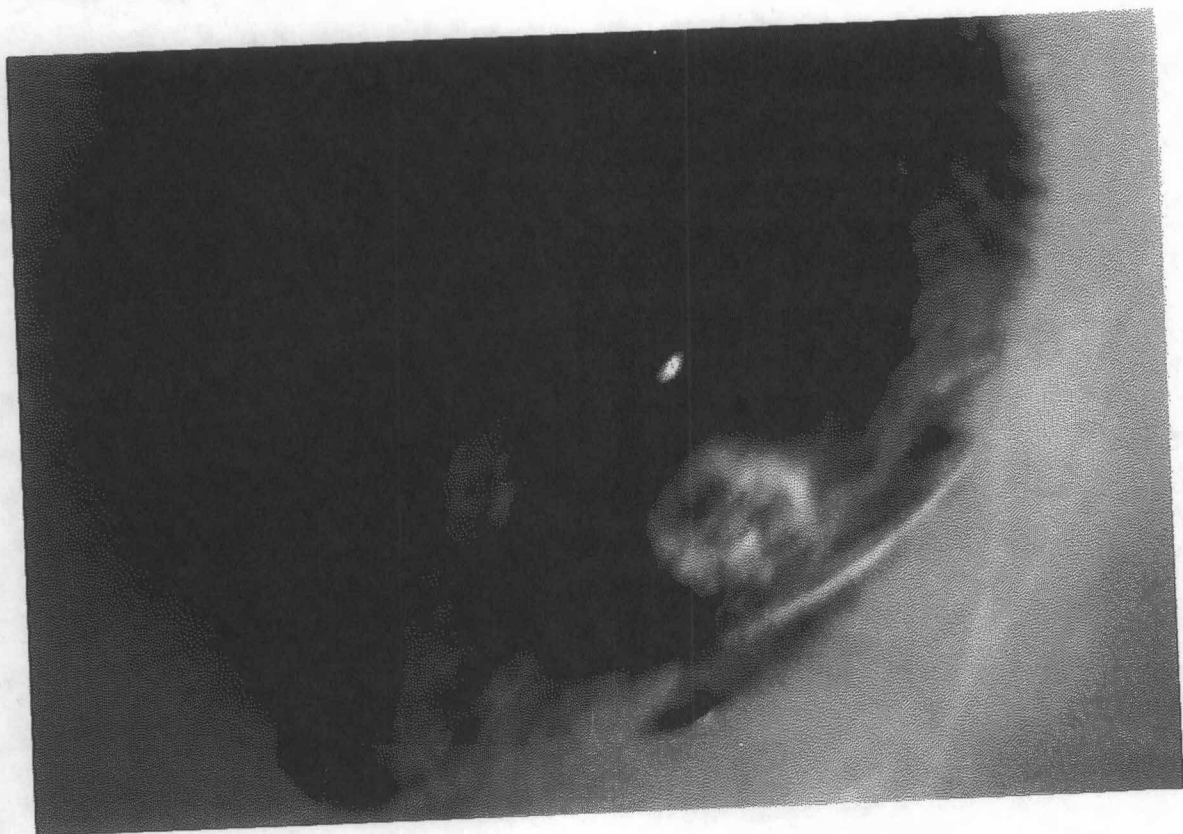
\$ 142. 77 for exam with Kara Ericksen

April 4, 2018

\$638.08 for removal of tumor

April 20, 2018

\$18.09 for the Mirtazapine tabs



Alison Bizzul, DVM
[REDACTED]
[REDACTED]

June 10, 2018

Arizona State Veterinary Medical Examining Board
1740 W. Adams Sr. Ste. 4600
Phoenix, AZ 85007

18-115 in Re: Alison Bizzul, D.V.M
→

To Whom It May Concern:

I am writing in response to the Complaint Investigation 18-115 filed against me on May 24, 2018 by Ms. Cecelia Nugent regarding her cat, "Papa"/"Sterling."

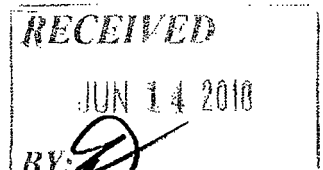
I worked in the state of Arizona as a veterinarian from June 2014 until May 31, 2017. I was an associate veterinarian at Surprise Animal Hospital in Surprise, AZ from approximately December 2014 until May 31, 2017. In May 2017, I resigned from my position at Surprise Animal Hospital in order to move to Colorado to be closer to my family. I have been practicing in Colorado Springs, CO since July 2017 to present.

I saw Ms. Nugent and her cat, "Papa" at Surprise Animal Hospital on February 10th, 2017 for a self inflicted wound on his tail. Please see attached record from that day. As far as I can recall about that visit, "Papa" was in apparent good health at that time with the exception of the wound on his tail and mild dental disease. He was given an antibiotic injection and an oral NSAID for inflammation due to his wound and we discussed behavioral modifications and therapy. I recommended fish oil, feliway diffusers and started a trial of amitriptyline.

On February 12th, 2017 I called Ms. Nugent and she stated that "Papa" was doing well and that she had no other concerns. This was the last contact I had with Ms. Nugent and "Papa."

Since resigning from my position at Surprise Animal Hospital, I have not had any communications with the other veterinarians still there regarding this client or patient. I have also not had access to records at Surprise Animal Hospital since my resignation in May 2017. I was emailed a copy of the record attached upon request after receiving this complaint notification, but I do not have access to any other records regarding this patient.

I was not present during any of the events in Ms. Nugent's complaint as they occurred after I had moved out of the state and no longer worked at that hospital. Therefore, I cannot comment on those events as I had no knowledge that they occurred.



Please note my change of address and send any further communications to the address listed at this top of this letter.

Sincerely,

A handwritten signature in cursive script that reads "Alison Bizzul, DVM". The signature is fluid and written in dark ink.

Alison Bizzul, DVM



ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

1740 W. ADAMS STREET, STE. 4600, PHOENIX, ARIZONA 85007

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VETBOARD.AZ.GOV

INVESTIGATIVE COMMITTEE REPORT

TO: Arizona State Veterinary Medical Examining Board

FROM: PM Investigative Committee: Donald Noah, D.V.M. - Chair
Amrit Rai, D.V.M.
Adam Almaraz
Christine Butkiewicz, D.V.M.
William Hamilton

STAFF PRESENT: Tracy A. Riendeau, CVT – Investigations
Michael Rainne, Assistant Attorney General

RE: Case: 18-115
Complainant(s): Cecelia Nugent
Respondent(s): Alison Bizzul, DVM (License: 6401)

SUMMARY:
Complaint Received at Board Office: 5/24/18
Committee Discussion: 9/11/18
Board IIR: 10/17/18

APPLICABLE STATUTES AND RULES:
Laws as Amended July 2014
(Salmon); Rules as Revised September
2013 (Yellow)

"Papa" a 15-year-old male Russian Blue cat was presented to Surprise Animal Hospital on multiple occasions with a lesion below the left eye. A tooth root abscess was suspected and was treated with antibiotics. Recommendations were made for a dental cleaning and thorough oral evaluation under sedation. The lesion would not heal.

Complainant sought out a second opinion; a biopsy was performed and was diagnosed with neoplasia.

Complainant contends Respondent was negligent in the care of the cat

Complainant was noticed and appeared.

Respondent was noticed and was available telephonically.

The Committee reviewed medical records, testimony, and other documentation as described below:

- Complainant(s) narrative: Cecelia Nugent
- Respondent(s) narrative/medical record: Alison Bizzul, DVM
- Consulting veterinarian(s) narrative/medical record: All-Star Animal Hospital
- Witness(es) narrative: Michelle Anderson

PROPOSED 'FINDINGS of FACT':

Respondent did not see this cat and was not currently working at that premise when Complainant presented the cat for the concerns cited in the complaint.

1. On January 21, 2018, the cat was presented to Dr. Fleming due to weight loss and decreased appetite. Upon exam, the cat had a weight = 10.05 pounds (16.75 pounds 2/10/17), a temperature = 102 degrees, a heart rate = 200bpm and a respiration rate = 40rpm. Dr. Fleming noted that there was a swelling at the base of the cat's tail which appeared to be an abscess. His assessment was periodontal disease, abscess – bite wound and weight loss – metabolic, endocrine disease, periodontal disease, neoplasia and other.

2. Dr. Fleming lanced the abscess at the base of the cat's tail, expressed the contents and flushed with dilute betadine. The cat was administered convenia and onsiar SQ. Instructions were given to apply warm compresses twice a day for 5 minutes at the abscess site if the cat would allow. Blood and urine was collected for testing and Complainant asked if they should change the cat's diet from canned to dry food. Dr. Fleming suggested waiting until the results of the lab work came back and the cat was discharged.

3. Blood results revealed the following abnormalities:

ALB	2.4	2.6 – 3.9
ALT	15	27 -158
CA	8.0	8.2 – 11.2
TP	6.2	6.3 – 8.8
SDMA	19	0 – 14
SPEC fPL	14.4	0.0 – 3.5

4. On January 23, 2018, Dr. Fleming spoke to Complainant (?) to get an update on the cat and relay results of the lab work. It was reported that the cat's appetite was improved and the cat was feeling better. Dr. Fleming relayed that the cat had a low protein level attributed to the low dietary intake. The cat had mild kidney changes consistent with age related kidney disease. The fPL was significantly elevated indicting likely pancreatitis. Dr. Fleming would normally recommend an ultrasound, but since the cat was doing well and eating, they could monitor to see if he continues; if the cat regresses then an ultrasound should be performed. Dr. Fleming recommended Royal Canin GI Low Fat diet due to fPL level; Complainant was to pick up.

5. Complainant stated that the vet assistant contacted her with the results of the lab work and advised her that the results were normal. It was not until she received a copy of the lab work that she was aware of the abnormal results. She was not told of the option to perform an ultrasound or how to monitor the cat.

6. On February 16, 2018, the cat was presented to Dr. Ozuk due to a scab under the cat's eye. Complainant had suspected the cat may have scratched himself due to his long nails. The cat was taken into the treatment area and was examined by Dr. Ozuk. Upon exam, the cat had a weight = 10.6 pounds, a temperature = 98.1 degrees, a heart rate = 210bpm and a respiration rate = 50rpm. The cat had grade 3/6 dental disease – no obvious tooth root abscess, a scab under the left eye - non-painful on palpation and areas of alopecia and scabbing on ventral tail (which was docked).

7. Dr. Ozuk discussed her findings with Complainant and talked about the potential for a tooth root abscess given the location of the lesion and the severity of the dental disease of the cat.

8. Although there was no obvious tooth root abscess or purulent discharge noted from any individual tooth, it did not rule out a tooth root abscess as they can sometimes only be visible on dental radiographs under the gumline. Complainant reported that the cat was not rubbing or scratching at the lesion. Dr. Ozuk recommended oral clindamycin – Complainant declined due to the inability to orally medicate the cat. Convenia was administered SQ.

9. Dr. Ozuk advised Complainant that if the lesion did not improve with the antibiotic injection or if it returned, then a dental cleaning with full mouth radiographs was recommended to rule out tooth root abscess or other underlying causes. When asked, Complainant indicated the cat was doing well otherwise – eating and drinking well, but still chewing at his tail. Oral antihistamines were offered but Complainant declined due to the cat's temperament to medicate. The antibiotic was administered and the cat was discharged.

10. On February 18, 2018, Dr. Ozuk phoned Complainant to check on the cat. Complainant reported that the cat was doing about the same; the lesion was not swollen nor have discharge. Dr. Ozuk explained that it could take 10 – 14 days for the lesion to heal, and to let the scab fall off on its own. If the lesion did not heal or recurred Complainant was to let her know.

11. On March 1, 2018, the cat was presented to Dr. Newman for a recheck. Complainant reported the cat was not interested in food in the past 3 – 4 days; various flavors were attempted. Would eat reluctantly every few hours instead of gobbling food. The wound under the eye appeared to be healing but the cat was rubbing off the scab. Upon exam, the cat had a weight= 10.7 pounds, a temperature = 99.9 degrees, a heart rate = 240bpm and a respiration rate = 40rpm. There was no obvious tooth root abscess and there was a 2cm ulcerated area under the left eye – apparent healthy granulation tissue and some scabbing.

12. Dr. Newman gently cleansed the area with dilute betadine and applied Entederm. Onsior and convenia was administered and an Elizabethan collar was fitted. She advised Complainant that food may be causing irritation or discomfort, especially if there was dental pain, and recommended sedated wound care and thorough exam with dental cleaning and radiographs. Treatment plan was provided to Complainant with instructions to recheck in two weeks. EnteDerm was dispensed.

13. On March 4, 2018, Dr. DeKing called Complainant to check on the cat. Dr. DeKing documented that Complainant reported that the lesion under the eye was improving. The cat had vomited once. She recommended continuing to monitor the cat and call if further vomiting was noted or anything new developed. Complainant stated in her complaint that she reported that the cat's lesion was still not healing.

14. On March 16, 2018, the cat was presented to Dr. Ericksen at All-Star Animal Hospital for a second opinion. She went over the cat's history of the non-healing lesion. Dr. Ericksen examined the cat and noted a thickened area with some ulceration under the left eye. Brief oral exam revealed grade 3 dental disease, with purulent exudate and calculus. She suspected neoplasia

and differential diagnosis of tooth root abscess due to the severe dental disease.

15. Dr. Ericksen discussed her suspicions of neoplasia with Complainant as well as the dental disease and risks of anesthesia due to his age. She recommended an antibiotic injection with a Depo-Medrol injection and recheck in two weeks. If no improvement, then a dental and biopsy would be recommended. Complainant agreed.

16. On April 5, 2018, since the wound did not heal, surgery was performed by Dr. Matt Ericksen and the fibrous mass was submitted for histopathology.

17. Histopath revealed a round cell neoplasm.

18. On May 1, 2018, the cat passed away.

COMMITTEE DISCUSSION:

The Committee discussed that Respondent did not see the cat and had no involvement in this case.

COMMITTEE'S PROPOSED CONCLUSIONS of LAW:

The Committee concluded that no violations of the *Veterinary Practice Act* occurred.

COMMITTEE'S RECOMMENDED DISPOSITION:

Motion: It was moved and seconded the Board:

Dismiss this issue with no violation.

Vote: The motion was approved with a vote of 5 to 0.

The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any other sources used to gather information for the investigation.



Tracy A. Riendeau, CVT
Investigative Division.